

AMENDED IN SENATE AUGUST 25, 1997

AMENDED IN ASSEMBLY APRIL 21, 1997

AMENDED IN ASSEMBLY APRIL 8, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 834

**Introduced by Assembly Member Bowen
(Principal coauthor: Assembly Member Murray)
(Coauthor: Assembly Member Wayne)**

February 27, 1997

An act to add Article 12 (commencing with Section 9889.70) to Chapter 20.3 of Division 3 of the Business and Professions Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 834, as amended, Bowen. Vehicles: ~~inspection~~: leaking fluid *inspection program: Los Angeles County*.

Existing

(1) *Existing* law requires the Chief of the Bureau of Automotive Repair to enforce and administer the Automotive Repair Act, and also the motor vehicle inspection and maintenance program under which a biennial inspection of motor vehicles is generally required for emission control purposes.

This bill would require the bureau to establish an advisory committee, as prescribed, for the purpose of establishing a voluntary leaking automotive fluids inspection program for Los Angeles County, in which participating automotive repair

dealers may inspect motor vehicles for leaking toxic fluids, which are known to be damaging to the environment.

The bill would require the advisory committee to establish the process by which leaking automotive fluids will be measured and reported to the bureau. The bill would require the advisory committee to report in writing to the Legislature not later than July 1, 1998, on the standards and method through which this information will be reported to the bureau.

~~This bill would require the bureau to develop and implement a program, which may be generally known as the Ocean Safe Vehicles Program, for voluntary participation by automotive repair dealers to inspect motor vehicles for leaking toxic fluids. The program would require the participating dealer to notify the registered owner of a vehicle that is leaking fluid and provide the owner information prepared by the State Water Resources Control Board and the State Department of Health Services explaining the damage caused to coastal waters, lakes, rivers, and marine creatures, and the health risk posed to humans, by those fluids. The bureau would be required to obtain and maintain records of the number of vehicles that are leaking fluids, identify which fluids are leaking from each vehicle, publish a report each year summarizing the findings, and promote the program in connection with the motor vehicle inspection and maintenance program.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 12 (commencing with Section
2 9889.70) is added to Chapter 20.3 of Division 3 of the
3 Business and Professions Code, to read:

4

~~Article 12. Ocean Safe Vehicles Program~~

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6
7 9889.70. (a) ~~The Bureau of Automotive Repair shall~~
8 ~~establish a program for the purpose of data collection~~
9 ~~pursuant to this article, which may be known as the~~



1 ~~Ocean Safe Vehicles Program, in which automotive~~
2 ~~repair dealers may voluntarily participate. The bureau~~
3 ~~may select other regional names for the program that are~~
4 ~~appropriate for those areas of the state that are not near~~
5 ~~the ocean.~~

6 ~~(b) Participating~~

7
8 *Article 12. Voluntary Leaking Automotive Fluids*
9 *Inspection Program*

10
11 *9889.70. The Bureau of Automotive Repair shall*
12 *establish an advisory committee for the purpose of*
13 *establishing a voluntary leaking automotive fluids*
14 *inspection program for Los Angeles County in which*
15 *participating automotive repair dealers may inspect*
16 *motor vehicles for leaking toxic fluids, which are known*
17 *to be damaging to the environment, including, but not*
18 *limited to, oil, antifreeze solution, transmission fluid, and*
19 *brake fluid and in which this information is reported to*
20 *the Bureau of Automotive Repair.*

21 *9889.71. (a) The advisory committee shall establish*
22 *the process by which leaking automotive fluids will be*
23 *measured and reported to the bureau.*

24 *(b) The advisory committee shall be comprised of one*
25 *automotive repair dealer and one representative each*
26 *from the environmental community, the County of Los*
27 *Angeles, the State Water Resources Control Board, the*
28 *State Department of Health Services and the Bureau of*
29 *Automotive Repair.*

30 *(c) The advisory committee shall report in writing to*
31 *the Legislature not later than July 1, 1998, on the*
32 *standards and method through which this information*
33 *will be reported to the bureau.*

34 ~~(e) The bureau shall adopt regulations to establish~~
35 ~~inspection standards, which shall be known as ocean safe~~
36 ~~standards. Those standards shall establish the manner in~~
37 ~~which vehicles are inspected and a manner in which fluid~~
38 ~~loss shall be measured.~~

39 ~~(d) The program shall provide that if a motor vehicle~~
40 ~~is found to be leaking any fluids, the automotive repair~~

1 dealer shall notify the registered owner in writing of the
2 type of fluid that is leaking. The automotive repair dealer
3 shall also provide the owner information, which shall be
4 prepared by the State Water Resources Control Board
5 and the State Department of Health Services, explaining
6 the damage caused to coastal waters, lakes, rivers, and
7 marine creatures, and the health risk posed to humans, by
8 those fluids washing off streets and parking lots into
9 coastal waters and other bodies of water used for bathing,
10 swimming, or other recreational activities.

11 9889.71. The bureau shall adopt procedures to obtain
12 information from automotive repair dealers of the
13 number of motor vehicles that are leaking fluids, identify
14 which fluids are leaking from each vehicle, and adopt
15 procedures for maintaining that information. The bureau
16 shall publish a report each year summarizing the findings.

17 9889.72. An automotive repair dealer facility that
18 inspects vehicles in accordance with bureau regulations
19 adopted pursuant to subdivision (c) of Section 9889.70
20 may display an emblem specifying that the facility
21 participates in the program, and may advertise that fact.

22 9889.73. The bureau shall promote the program in its
23 promotional materials pertaining to the motor vehicle
24 inspection and maintenance program established
25 pursuant to Chapter 5 (commencing with Section 44000)
26 of Part 5 of Division 26 of the Health and Safety Code.

27 SEC. 2. No reimbursement is required by this act
28 pursuant to Section 6 of Article XIII B of the California
29 Constitution because the only costs that may be incurred
30 by a local agency or school district will be incurred
31 because this act creates a new crime or infraction,
32 eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section
34 17556 of the Government Code, or changes the definition
35 of a crime within the meaning of Section 6 of Article
36 XIII B of the California Constitution.

37 Notwithstanding Section 17580 of the Government
38 Code, unless otherwise specified, the provisions of this act



1 ~~shall become operative on the same date that the act~~
2 ~~takes effect pursuant to the California Constitution.~~

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